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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/567,140 | 02/06/2006 | Ikuo Tajima | IIZU020 | 9447 |

37013 7590 03/19/2007
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| EXAMINER |
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IZAGUIRRE, ISMAEL

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| ART UNIT | PAPER NUMBER |
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3765

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 03/19/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/567,140

Applicant(s)

TAJIMA ET AL.

Examiner

Ismael Izaguirre

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-11 is/are rejected.
- 7) ☒ Claim(s) 5 and 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>2/2/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

CLAIMS

Summary

Claim 1 is the independent claim under consideration in this Office Action.

Claims 2-11 are the dependent claims under consideration in this Office Action.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,8-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fink (1,107,599).

Fink teaches a sequin sewing machine. The sewing machine includes a supply section, which supplies a plurality of continuous sequin strips 16 comprising a multiplicity of continuously connected sequins in an overlapping state. The sewing machine of Fink includes a first strip of sequin 16 which are held together by cords 19 in an overlapped state. This, along with another strip is supplied to a feeder 25 and 20 for synchronized feeding and placement by sewing onto the material being embellished. The strips are sewn close to each other, so close they overlap with one another. Figure 7 is taught as showing a sewn line of sequin and clearly illustrates that the ends of the cords and thus the leading plurality of sequin are cut by using an inherent cutter.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fink in view of Nassberg (797,308).

Fink discloses the invention substantially as claimed. See above for specific explanations of the structural details of this document. Briefly, Fink teaches a sewing machine having a supply section which feeds two strips of continuously-connected sequin. However, Fink does not suggest the supply section as including two reels for supporting the two sources of sewing embellishment.

Nassberg teaches a sequin sewing machine including sequin S being sewn onto a material in a stacked or overlapping fashion. Nassberg teaches two reels 49 and 51 for supporting two sources of embellishment. One supports a strip of sequin and the other supports ribbon or tape. These two strips are fed to a feeding device and are routed such that they are not separated and are fed to the needle where the sequin is overlapped onto the tape and sewn onto the material. It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the

supply section of Fink as including at least two supply reels containing the strips of sequin that are being fed by Fink to the material being sewn.

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Fink.

Fink discloses the invention substantially as claimed. See above for specific explanations of the structural details of this document. Briefly, Fink teaches a sewing machine having a supply section which feeds two strips of continuously-connected sequin. However, Fink does not suggest one of the sequin strips as containing sequin that are different from those on the other strip.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the sewing machine supply section of Fink as including the feeding of two different sequin in strip form. Providing this would allow a variety of patterns to be placeable onto the material being embellished by providing different sequin overlapped over each other.

ALLOWABLE SUBJECT MATTER

Claims 5 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

PERTINENT CITATIONS

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ochsner, Cornely, Mueller, Ruschmann and Tajima et al. illustrate sequin feeding and sewing apparatus for feeding sequin continuously connected on a strip.

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on (571) 272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Ismael Izaguirre
Primary Examiner
Art Unit 3765